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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,893	03/07/2002	Erkki Solala	442-010768-US (PAR)	7834
2512	7590	07/25/2006	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			TRAN, THIEN D	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/019,893	Applicant(s) SOLALA, ERKKI	
	Examiner Thien D. Tran	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6, 10-13, 15, 16 and 18-21 is/are rejected.
- 7) ☒ Claim(s) 4, 7-9, 14 and 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 5-6, 11-12, 15-16, 18, and 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Hammond et al. (US Pat No. 5,915,087.), in view of Yano Koichi (Jap Pub No. 10-136336.)

As per claims 1, 11, and 20, Hammond et al. teach a method and a server for the message is processed by a protocol stack (See Fig. 2, the terminal is client 214 and firewall 210 could be pad of server for controlling access right of a messaged from security monitor 226 and security monitor would send the authorized messages back to port manager, which comprises the protocol stack.), and a computer program product to control the access of the message (See Fig. 2, 4, and col 4, lines 21-40, Hammond et al.), wherein comprising;

a sender address specifying the address of the terminal, (See col 4, lines 50-54, Hammond et al.)

a port number specifying and application address of the instance sending the message at the terminal, and user data including the contents of the message (See col

5, lines 13-15, and col 5, lines 26-34, Hammond et al.) , and the server and method comprising;

license control means (security monitor 226) for controlling the access right of the message to enter the server before the message is allowed to be passed to the protocol stack (port manager 224) (Hammond et al. teach the message is relay to port manager and send to control function of security monitor to prevent the further routing of non conforming messages. Then, the right message is forwarded back to port manager for routing through protocol stack and relay to server. See Fig. 2 and col 5, lines 6-9, Hammond et al.), characterized in that the server further comprises,

connection means for establishing a session between the server and the terminal and for receiving the data packet within the session (See Fig. 2, Hammond et al.)

Hammond et al. does not specifically teach storing a number of access right licenses and reserving access right of license, and make sure the number of reserved does not exceed the number of purchased access right license. Nevertheless, Yano Koichi teaches the limit of a number of clients is prepared ahead as reserved (See (0013), Detail Description, Yano Koichi.), and access control module has grasped the current number of clients and has access newly and it would judge whether the number of allowance communication links of a circuit is exceeded (See (0018), Detail Description, Yano Koichi.) Moreover, Yano Koichi teach that the structure of the invention could be use as a personal computer or workstation (See (00481, Means, Yano Koichi.) Therefore, it would have been obvious for one having ordinary skill in the art at the time the invention was made to controlling the number of reserved licenses

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and newly arrived having access right licenses because it would provide the better traffic control on the traffic and make sure CPU storage having enough space for clients having access right to connect with server. Moreover, Hammond et al. teach the firewall and security of server (See col 1 , lines 22-29, Hammond et al), and these kind of system is generally used to distinguish the proper clients accessing the server.

As per claims 2 and 12, Hammond et al. teaches means for reading both sender address and the port number from the data packet for identifying the terminal (See col 5, lines 26-34, Hammond et al.)

As per claims 5 and 15, the limitation set forth is similar to claim 1., therefore, the same basis and rationale as applied to claim 5 are applied.

As per claims 6 and 16, Hammond et al. teach means for forwarding the message and discarding the message (See col 6, lines 32-42, Hammond et al.)

As per claim 18, Hammond et al. teach plurality of clients (See col 5, lines 6-10, Hammond et al.)

Claims 3, 10, 13, 19, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hammond et al. (US Pat No. 5,915,087.), in view of Yano Koichi (Jap Pub No. 10-136336.), and further in view of Pepe et al. (US Pat No. 5,673,322.)

As per claims 3, 13, and 21 Hammond et al., in view of Yano Koichi teach communicating messages with network and for adapting messages received from the client for the protocol stack and after the adaptation performing the checking of the

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access right (See Fig. 2 and col 4-5, lines 65-15, Hammond et al.) Hammond et al. does not teach the client is using wireless protocol with wireless network. However, Pepe et al. teach using wireless connection and wireless protocol for point-to-point communication and with security feature (See col 6, lines 65-67, col 7, lines 15-30, Pepe et al.) In addition, Pepe et al. system provides the communication between client and server through protocol layers (See Fig. 4-5, Pepe et al.) Thus, it would have been obvious for one who has ordinary skill in the art at the time the invention was made to communicate through a wireless network because the wireless network would provide the advantage for the client and server to cover the broader range.

As per claims 10 and 19, Pepe et al. teach mobile station supporting the wireless protocol (See Fig. 2, and col 7, lines 15-30.), and Pepe et al. also teach modem, which could be interpreted as the gateway, to transmitting between client to server (See col 11, lines 60-67, and Fig. 3, Pepe et al.)

The same rationale, motivation, and basis as applied to claims 3 and 13 are applied to the remainder of the claims 10 and 19.

Allowable Subject Matter

3. Claims 4, 7, 8, 9, 14, 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

4. Applicant's arguments filed 04/25/2006 have been fully considered but they are not persuasive.

Applicant argues that Hammond does not teach a license management. In response to the argument, the limitation "license management" is not recited in the claims. Therefore, the limitation does not have the patentability weight in the claims. However, regarding to the independent claims 1, 11, 20, Hammond teaches security monitor 226 for controlling the access right of the message to enter the server before the message is allowed to passed to the protocol stack (port manager 224). Hammond et al. teach the message is relay to port manager and send to control function of security monitor to prevent the further routing of non conforming messages. Then, the right message is forwarded back to port manager for routing through protocol stack and relay to server. See Fig. 2 and col 5, lines 6-9, Hammond et al. Monitoring the right of the messages entering the server is equivalent to license control.

Applicant argues that Hammond and Koichi are not combinable to teach "controlling the number of reserved licenses does not exceed the number of purchase access right license. However, Examiner disagrees with the argument because Yano Koichi teaches the limit of a number of clients is prepared ahead as reserved (See (0013), Detail Description, Yano Koichi.), and access control module has grasped the current number of clients and has access newly and it would judges whether the number of allowance communication links of a circuit is exceeded (See (0018), Detail

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Description, Yano Koichi.) Moreover, Yano Koichi teach that the structure of the invention could be use as a personal computer or workstation (See (00481), Means, Yano Koichi.) Therefore, it would have been obvious for one having ordinary skill in the art at the time the invention was made to controlling the number of reserved licenses and newly arrived having access right licenses because it would provide the better traffic control on the traffic and make sure CPU storage having enough space for clients having access right to connect with server. Moreover, Hammond et al. teach the firewall and security of server (See col 1 , lines 22-29, Hammond et al), and these kind of system is generally used to distinguish the proper clients accessing the server.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

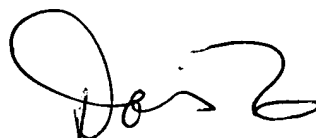
6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Thien Tran whose telephone number is (571) 272-3156. The examiner can normally be reached on Monday-Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To, can be reached on (571) 272-7629. Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197.

Patent Examiner

Thien Tran



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SUPERVISORY PATENT EXAMINER
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